## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:19-CT-3128-D

DEVONTAY D. MYLES,	)	
Plaintiff,	) )-	
v.	)	ORDER
SGT. EDWARDS, et al.,	)	
Defendants.	)	

On September 21, 2022, Magistrate Judge Jones issued an Order and Memorandum and Recommendation ("M&R") and recommended that the case be dismissed for failure to prosecute and failure to comply with the court's orders [D.E. 73]. Myles did not object to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." <u>Diamond v. Colonial Life & Accident Ins. Co.</u>, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); <u>see</u> 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." <u>Diamond</u>, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court ADOPTS the conclusions in the M&R [D.E. 73] and DISMISSES the action. The clerk shall close the case.

SO ORDERED. This 24 day of October, 2022.

AMES C. DEVER III

United States District Judge